

1 Law Office of Mark McClure, PS  
2 1103 West Meeker Street, #101  
3 Kent, WA 98032

The Honorable Brian D Lynch  
Chapter 11  
Ex Parte

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6  
7 UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF  
8 WASHINGTON AT TACOMA

9 In re:

10 Stephen Robert Brown,  
11 Debtor.

Case No.: 22-40997-BDL

*EX PARTE*

**APPLICATION FOR ORDER  
AUTHORIZING EMPLOYMENT OF  
ATTORNEY**

14 Stephen Robert Brown, the Debtor, in this Chapter 11 case (“Debtor”), apply to the Court  
15 for an order approving the employment of Mark McClure, Masafumi Iwama and Law Office of  
16 Mark McClure, PS as Chapter 11 counsel for Debtor. Debtor makes this application under  
17 Section 327 of the United States Bankruptcy Code (the “Code”), and Fed. R. Bankr. P. 2014. In  
18 support of the application, Debtor states as follows:  
19  
20

21 1. On August 11, 2022, Debtor filed a voluntary petition for relief under Chapter 11 of the  
22 Bankruptcy Code.

23 2. Debtor retained Mark McClure and Masafumi Iwama (“Attorneys”) and Law Office of  
24 Mark McClure, PS (“Firm”) on July 28, 2022 to review his options as a debtor and  
25 prebankruptcy planning. Subsequently Debtor entered into a retainer agreement for a chapter 11  
26 on August 11, 2022. Debtor now wishes to employ Attorneys and Firm, effective as of the date  
27 of filing, August 11, 2022 to advise them regarding this Chapter 11 case. Debtor has been  
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30

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Telephone: (253) 631-6484

1 informed that Attorneys, the primary attorneys involved in this case, are admitted to practice  
2 before this Court and have read the Local Bankruptcy Rule 2016

3 3. The services to be performed by Attorneys are necessary in order for Debtor to  
4 perform his duties as Debtor. Subject to the control of, and further order of the Court, Attorneys  
5 will render the following services to Debtor:  
6

7 a. To take all actions necessary to protect and preserve Debtor's bankruptcy estate,  
8 including the prosecution of actions on Debtor's behalf. To undertake, in conjunction as  
9 appropriate with special litigation counsel, the defense of any action commenced against  
10 Debtor negotiations concerning litigation in which Debtor may be involved, objections to  
11 claims filed against Debtor in this bankruptcy case, and the compromise or settlement of  
12 claims.  
13

14 b. To prepare the necessary applications, motions, memoranda, responses, complaints,  
15 answers, orders, notices, reports and other papers required from Debtor as debtor-in-  
16 possession in connection with administration of this case.  
17

18 c. To negotiate with creditors concerning a Chapter 11 plan, to prepare a Chapter 11 plan  
19 and disclosure statement and related documents, and to take the steps necessary to  
20 confirm and implement the proposed plan of liquidation.  
21

22 d. To provide such other legal advice or services as may be required in connection with  
23 the Chapter 11 case.  
24

25 4. Debtor has selected Attorneys for the following reasons:

26 a. Attorneys have experience and expertise in the field of debtors' and creditors' rights,  
27 insolvency law and bankruptcy.  
28  
29  
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1 b. Attorneys have the resources necessary for the quick and efficient prosecution of this  
2 case.

3 c. Debtor has confidence in Attorneys and believe that Attorneys are well qualified to  
4 represent them in this Chapter 11 case.  
5

6 5. In accordance with the signed Engagement letter attached and available for review,  
7 Debtor has agreed to compensate Attorneys and Firm on the basis of its ordinary hourly rates,  
8 with additional reasonable fees to be paid on the basis of criteria set forth in the Washington  
9 Rules of Professional Conduct, including time spent, skill needed to perform legal services  
10 properly, preclusion of other employment, fees customarily charged, the amount involved and  
11 the results obtained, and the experience, reputation and ability of counsel.  
12

13 6. Attorneys have been paid during the one-year period prior to filing of this case, the  
14 attorney's fees of \$4,881.00 related to pre-petition chapter 11 preparation, and \$4,402.30 related  
15 to services provided in assisting debtor with loan paperwork securing liquidity for the benefit of  
16 the estate. Currently the Firm holds \$494,641.70 in the client trust account.  
17  
18

19 7. To the best of the Debtor's knowledge, Attorneys do not have any connection with  
20 Debtor, his creditors, any party in interest, or their respective attorneys or accountants.  
21

22 **WHEREFORE**, for the reasons stated in this application, Debtor requests that the Court  
23 enter an order authorizing them to employ Attorneys and Firm to represent Debtor in this  
24 Chapter 11 case effective as of August 11, 2022.

25 Dated this 2<sup>nd</sup> Day of September 2022  
26

27 /s/ Mark C. McClure

28 Mark C. McClure, WSBA #24393  
29 Attorney for Debtor  
30

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9/13/2022

Approved by:

DocuSigned by:

Stephen Robert Brown

Stephen Robert Brown, Debtor

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